App.F.IX-4

No 125-24 (1-3)

1923.

File No. 73-23

Previous References

3 & A 14-21-647
Gen 160-22-1
" 11-23-1
do 64-15 (1-3)

Later references.

do 28-26 (1-2)
C. S. B. 2-26-576
—u—12-28-1
Cs-53-33-1—4
Cs-1962-34.
Cs-152-34-1—2
" 35-35-1—2
Rap. 8. Dep 79-43

Private

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Six

Serial Nos. 1—6

Part B for May 1926.

SUBJECT

Amendment of rules for the recruitment of ministerial officers in the civil courts.

* G.O. No. P. 5666-78 5-5-26 To the Registrar Civil Courts
" Secy C.R. Board

Prescribes general rules of recruitment for the ministerial ranks of the judicial department.

Ramaswamy Ayyar
2/7/26.

G. R. S. 11] 1913-4

GENERAL AND REVENUE SECRETARIAT.

(65)

NOTES.

File No. 73'23

FILE HEADING.

Amendment of rules for the recruitment of ministerial officers in the Civil courts

From

The Regr Lahore

Regd No. 32 Dated 22-3-8-23 Received 27-8-23

Diary No. 925	Enclos. 1 Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Requests sanction for reasons stated for the revision of the rule for the recruitment of ministerial officers in the various Civil courts in the State.

NOTES AND ORDERS.

(1) The Chief Court have forwarded a draft notification embodying all the changes. That notification has been made a draft. Subs for orders

30/8 RJ 31/8

NOTES—First Sheet.

G. R. S. III-2]

General and Revenue Secretariat.

File No. 73 of 1924

Serial No.

(2) The rules proposed are based mostly on the orders already passed. But points raised in (e) & (f) go beyond the rules issued & will have to be scrutinized & approved by the Central Recruitment Board. Same points in (g) also may have to be considered by the Board.

(3) The Chief Court's recommendations in (e) & (f) are based on the difficulties experienced in getting proper men for the places mentioned & direct recruitment, as also the legitimate grievances of those in Service. Both points deserve a favourable consideration.

(4) The file may be sent to the Recruitment Board for consideration

Secy Rect Board with compts. 10/9

(5) May I first submit this to the Member in charge 12/9

1st member) -

(6) The Member-in-charge's proposals will have no power to fix minimum pays which Govt are not competent

2036
12-9-23

NOTE—Contn. sheet.

G. R. S. III-2

General and Revenue Secretariat.

05 File No. 73 of 1923-4

Serial No.

Appointment. This is not considered to [illegible] efficiency and discipline. [illegible] each appointing officer must have the power to fine his officials. [illegible] suspension, and removal or dismissal may be subject to the approval of the superior Court.

(1) [illegible] Please note the powers of appointment and punishment of the presiding officers of Civil Courts in Madras.

Under

14/9

AJ. For action on A 15/9

(2) cur 15/9

Subs

(3) In Madras, the District Munsiffs can only nominate clerks subject to the approval and confirmation of the District Judge and the District Judge's authority is limited to the acceptance or rejection of such nominations. The District [illegible] Judges are empowered to transfer all or any of the ministerial officers and they can suspend or remove them from office. The power to fine is inherent in the officer who has the power to dismiss or suspend.

(4) Hence it seems that the appointing officer can also fine.

(5) Put up 11. Mr. Montgomery cur 17/9.

17/9/23

Vide Page 214. Civil Rules of Practice Chapter XIV

22. Do.

NOTE—Contn. sheet.

925

2042

4(4

G. R. S. III-2]

General and Revenue Secretariat.

CS File No. 13 of 19 29

Serial No.

12 It looks as if the Distt Municipality has no power, even to fine, as, though he can nominate, an official, approval lies with the Distt Judge.

13. Under the General Clauses Act power of appointment and removal go together.

14. In the Statement sent up, it is proposed to give the municipality power to fine any official, up to Rs 3/- beyond that approval of Distt Judge is necessary. Similarly with Sub-Judge

1st Member) cag 19.9.

15. Magistrate placed on the Municipal Board.

Ch 26/9

2042

16. Secy/Rect Board with Compts) cag 27-9

CR 13

NOTE—Contn. sheet.

2760. P 5 (5

G. R. S. III—1] 191

GENERAL AND REVENUE SECRETARIAT.

( )

NOTES.

File No.

FILE HEADING.

Recruitment for the ministerial ranks of the Judicial Department.

From

No.	Dated	Received

Diary No.	Enclos.	Spare Copies.	Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

17) Copy of Rules discussed at the last meeting of Board as also a copy of the proceedings of the meeting held on the 19th November is put up. This may now be sent to the Protection Branch for necessary further action.

NOTES—First Sheet.

19.12.23

Protection Br.)

18) Yes SAD 28/12

27-3 6n 3 (b

G. R. S. III-21

General and Revenue Secretariat. | File No. 73 of 19 24

Serial No.

19) A copy of the rules may be prepared in accordance with the modifications suggested in the proceedings of the meeting

29.1.24

20) Submit with a copy of the rules. This office Branch file in the subject cls 73-23 (D no 925) was sent to Genl section on 21-9-23. This will be called for if approved. — 21) Yes

Cag 22/1

22/1/24

24) Genl Section for kindly putting up the cls file 73-23

24/1/24

25) Cls. 73-23 which was submitted in another connection and received back today is put up

Cag 7.2.24

26) The Draft rules communicated by the Chief Court may be approved with the modifications suggested by the Recruitment Board. Submit with draft for orders — 25) Please begin up.

Cag 8/2

7.2.24

NOTE—Contn. sheet.

926 வது பிரிவு (7)

G. R. S. III-2]

General and Revenue Secretariat.

CS File No. 73 of 1934

Serial No.

26) From a comparison of the statement with the present powers as noted in the curd digest (Pages 145-146) it is seen that the Statement fixes definitely the extent of the powers of the judicial officers. At present the powers of the judicial officers such as munsiffs etc have not been defined as regards the grant of leave, levy of fines etc. These have been now defined. The powers of appointment in the statement remain the same. As regards the other rulings in the curd digest are noted against each paragraph.

Submitted for orders as directed.

2/11/34.

27) The rules provide for appeal to the District Court or Chief Court whenever any punishment is inflicted on a ministerial officer by munsiff, Sub Judge or Dist Judge. There is no provision made in the rules for appeal against the punishments inflicted by the Executive on Ministerial officers drawing a salary exceeding Rs 60/-

NOTE—Contn. sheet.

28) Seems with the proviso to Rule 4 on page 146 of the Civil diary provides for the confirmation of Govt in cases of appointments made carrying a salary of Rs 100/- & upwards per month, it would appear that the Chief Comm. is not the final authority in the matter of these appointments and therefore, perhaps ~~in which case is not the final authority order of punishment~~ an appeal may lie to the Govt against the order of punishment by the Chief Comm.

29) With regard to the recruitment of Arms, the proceedings of the Permit Board & the rule approved by them, does not contain any thing about the qualifications which are referred to in the rule of the Chief Comm. The Chief Comm Rule required that promotion should be made of 2/3 of the deserving & qualified members of the Clerks' grade only and for such appointment the qualification was to be a pass in the Lower Secondary Exam.

General and Revenue Secretariat

File No. 7J of 1924

Serial No.

30) It is a point for orders whether the above qualifications to be inserted in the rules or not.

Orders - 2.6.

31) Find out the provisions in Br. India regarding the appeals etc against the orders of the Ct fining or suspending or dismissing any officer of their establishment or officials serving R in appeals. 3.6.

3.6.

32) In British India the ministerial officers are appointed by the Presiding officers of the Court subject to the control of their immediate officers whose orders are final. Here the Sub Judges and Munsiffs can appoint ministerial officers of their respective offices subject to the approval or confirmation by the Dt Judge and the ministerial officers of the Dt Court can be appointed subject to the control of the High Court. Pecuniary they may be suspended or removed by the appointing authority. The high court exercises general supervision.

33) ~~Revised~~ Every appointment ~~shall be~~ made subject to such orders or rules as the ~~Govt~~ may from time to time prescribe. by the High Court Act. Section 23 and 24 (1).

What about appeals against the orders of the Court? Can further appeal be preferred to the Govt?

NOTE—Contn. sheet.

34) From the Copy of local rules and orders herewith put up it is seen that no rules have been framed under section 9(4) of the Madras Civil Courts Act 1873. ~~Except as to the appeals~~ The High Court does not entertain any appeals from the decisions of District Judges as regards appointments etc Hence it seems that the question of appeals from the decision of High Court does not arise in such proceedings

19/11/24 35) The references put up show that so far as the appointment, punishment &c of the ministerial staff of the Subordinate Court cases are concerned, no appeal lies in Madras Rej against the orders of the High Court

Agd 19/11

36) The High Courts in Br. India being Chartered High Courts, their powers under the Letters Patent may not perhaps be compared to those of our Chief Court.

37) Section 21 of the Civil Courts Regn gives the appointing authority the powers of dismissal, removal, subject to the rules framed by Govt. The Ch. Ct has no power given. 4187 22.11.24 Copy of Ch. Ct Regn is enclosed for the information of

Chief Secy
Bombay

20/11
Secy
22/11

Serial No.

38) The rules as proposed & modified by the Merchandise Board may be approved. In respect of appeals which can be made only under the appeal & the first appeal lies to the first. power has not been stated in the rules and the matter will be governed by the General Code.

26/12

39) A fair copy the rules may be put up & may issue under the appeal & the Member.

26/12

40) Submit with a fair draft.

6/1/25

Dewan

8/1

41) The Chief Court may be consulted before issue if the Member sees no objn.

6/1

30/1

42) Draft rules sent to the Chief Court for opinion

Dewan

505 20.2

1st Member

8.8.J.

29.1 25.3

DEWAN'S OFFICE, RECD. on 9 - JAN. 1925 Regn. No 4984

NOTE—Contn. Sheet

CS File No. 73 of 1923-4. General and Re[illegible] Secretariat

43) Sd write draft
B/25/2/25 & 26/2
26/2 (Chiefs)
20/2/3 (1st Number)

Serial No.

2

2/3
3.3
2/3
3.3

To the Regr. Chief Court
No P. 5053 & 17.3.25

With reference to the forwarding Submitting a set of draft rules for the recruitment of ministerial officers of the Subordinate Civil Courts for a copy of rules IV, V & VI of General rules of recruitment relating to the Judl Dept as modified by the Central Recruitment Board and enquires whether they are suitable and Can be incorporated in the Draft Notifn. shortly.

3.

From
The Registrar. Chief Court
Letter no Roc 32 & 15-4-1925
States that the Chief Court has no objection to the modified draft rules with certain amendments.

45) The Chief Court suggest that in Rule IV - 4 - provision should be made for exemptions being granted

NOTE—Contn. Sheet

Serial No.

and propose that the following be added

" except in the case of those specially exempted by the Chief Court"

46) In the draft rules, Rule no IV-7 as sent by the Chief Court, the Chief Court proposed that out of every 3 vacancies occurring in each of the classes referred to in G.O. of 28-11-1921 (Flag-E), the first two shall be filled by promotion of qualified candidates from the lower grades and the third by direct recruitment. This is in modification of general orders that 2 out of every 3 vacancies in the ministerial ranks should be filled up by direct recruitment. The Recruitment Board did not pass this rule. The Registrar says that the original rules as sent by the Chief Court may be sanctioned

47) The Chief Court have accepted the other rules. But as regards recruitment to Amins, the Chief Court say that it might have to be considered later on in some time hence in the light of experience gained.

Serial No.

The points for orders are:

(1) Whether exemptions have to be granted in the case of posts coming under Rule IV - 4.

2) Whether 2 out of every 3 vacancies occurring, may be filled up by promotion and one by direct recruitment in modification of the present rule that 2 out of every 3 vacancies should be filled up by direct recruitment and one by promotion.

Find for orders

21/4/25

:: The chief Court have no objection to the rule except on 2 or 3 points.

:: The 1st point raised is that in the rule IV - 4, no provision is made for exemptions as in Rule.3. In regard to this, kind attention is invited to the copy of the proceedings of the Central Recruitment Board (H:4) page 3. ~~In this~~ This subject matter was treated as para.5. of the proposed rules of the chief Court. The Board reads

x H:5

Serial No.

para 6 and made the present Rule. It will be seen, on a comparison of para 6 of the Chief Court proposals with the rule as adopted by the Board, that in the latter the words "except those exempted under G.O. etc dated 12.2.1923" are omitted.

(1) In the proceedings it is recorded as regards para 6 that the Chairman observed that the exemption rule could be applied if no qualified men are available and that therefore the first sentence maybe deleted. It was decided accordingly.

This shows that the Board were not in favour of the clause relating to exemption.

(2) It appears to be unnecessary to insert the words as proposed by the Chief Court in as much as the G.O. of 12.2.1923 gives the Chief Court power to recommend cases for exemption.

(3) The next point raised is that rule 7 proposed by the Chief Court has not given effect to that rule recast modify para 3(4) of the G.O. 28th Nov 1921 (H:6).

(4) There was a discussion on

* The insertion of the clause would therefore make no difference.

H.P.

(1) I don't think a Commander in Emergency should grant exemptions. In Emergency cases where the Chief Court consider an exemption is warranted justification, they can make a recommendation to the first Board thereafter.

Serial No.

this point in the C.R. Board (Board) As recorded on page 4 of the proceedings when the Registrar of the Chief Court was present & represented his case it was then decided that this could be taken up as a general question and that the heads of all depts should be consulted.

It is therefore a point for consideration whether, in view of the discussions in which the Regr also took part, in view of the decision arrived at it is necessary to refer the matter to the Board again.

(3) The 3rd point raised is with regard to VI. The Chief Court accepts the Board's resolution. But since the Registrar has intimated that a representation will be made for throwing open all vacancies among Asstts to practising Servers alone.

(7) Of the 3 points raised by the Regr, the 3rd need not be considered. With regard to the 2nd point, it does not seem to be necessary to refer the matter

This may be dealt with separately as a General question applicable to all depts of Govt. It is not necessary to refer it to the Board. Exception can be taken from the proposed scheme.

DSP 4/11

L

APP. F. III—2]

General and Revenue Secretariat.

4464-P-29 27/10-P-23 17

S- File No. 73 P of 1924

Serial No.

agrin to the C.R.Board. the Ri regard to the 1st also, it appears to be ~~have been~~ immaterial to insert the words proposed by the chief Secy, in lieu of the G.O.dt 12.7.92 giving them power to recommend to govt for exemptions.

P

(Th Reg)
12/VII

253/11.5

5-8) Rel to be returned to the file with the papers as the proposal is arranged

29/8 29.-

25/8

5-9) Send with the file with the papers arranged

27/8/24 (Th Reg)
28/8 18/8/24

30/8

348/19.6

18/6

19/6

6a) Please see my marginal remarks in the Secy's note above.

6-b) A Secy's order may be issued as accepted also a Secy's copy to the Chief Secy

20/8/25

NOTE—Contn. Sheet

25/8/25

20/8/25

Serial No.

62) Submitted with 2 drafts – one a draft notfn. prescribing the rules under sec 21 of the Civil Courts Regn 24/8/25 ... & the other a draft letter to the Registrar, C.C.

26/8 63) "In the draft notfn" i.e., is used to prescribe the following rules with regard to appointments etc..." "Etc" is indefinite. Please mention all the points for which rules are prescribed. Please type the draft letter

27/8

CS 29/8

64) Submitted with a typed draft. The draft notfn. as also been added to as directed

28/8/25 65) Rules have been drafted for approval

28/8

29/8

(Regn) (Secy)

888/31.8

31-8

31/8

65) The statement in the form prescribed by the Secretary has certain blank columns. All the particulars to be furnished in the said statements under the order... certain particulars viz in the form of a statement...

66) Rules regarding the appointment of officers under Rr 25 & 30 by Registrar, Subordinate Judges & persons other than the Subordinate Judges.

NOTE—Contn. Sheet

Serial No.

approval of the D Judge. Letter to the Secy for this Conduct. So long as the appointment made in accordance with Rules (relaxing & Qualifications &), why should the appointment made subject to confirmation by D Judge.

I should like to see (or be informed) if by ~~not~~ this appointment for a recruitment of the above term

Subject for orders whether I can to take up the file to the Member.

As the Member has already left for Europe, this file may be taken to Europe, when the office goes there.

From

The Secy Central Recruitment Board.

Letter no 2685 & 23-11-25

Forwards an extract from the proceedings of the Central Recruitment Board in the matter of promotions to the cadre of Munsifs being restricted to deserving subordinates of the Department.

Ord.

The Board have resolved that 75% of the

NOTE—Contn. She

Serial No

vacancies in the grade of Bonnis will be by promotions from the lower ranks and 25% by direct recruitment subject to the condition that that the representation of the backward communities should be raised to 50% and not allowed to go below that level.

72) It is for orders whether in the proposed order the words "Subject to the condition etc." should be inserted under VI – Bonnis

No.

Read 26/11

25/11/25
26/11

From

The Regr Chief Court

D.O. Letter no 163 J/4-1-26

States that it is understood that the Central Recruitment Board have no objection so far as Bonnis Cadre is concerned to 3 out of 4 vacancies being filled up by promotion, the remaining one being filled up by direct recruitment, and requests pending final order on the recruitment rules, sanction for the filling up of Bonnis vacancies by promotion of efficient forests servts upto a limit of 75%.

Submd.

73) The resolution of the Central Recruitment Board is flagged B.

Subd for orders

5.1.26
5/1

From

The Regr: Chief Court. Letter no Ref 32 /25-26 J 18-3-26

Requests early orders on the recruitment rules for appointments to the ministerial establishment of Chief Court

Note—Contn. Sheet

Serial No

94 Sent with the draft already put up for orders

Mr Abdul Sami told me that the member wanted to see if any Bd of Revenue used a similar form

23/3/26 75) Sent for perusal of the Board of Revenue (Ag. H)

Regd 381. The form in which the draft is put up is similar to the form of the Bd. of the Board of Revenue.

29/3

20/3

Result

5/4/26

Forwarded with 2 mr as ordered by him

6/4

185 7.4

6/4

6/4

96) It is unsatisfactory that this case should have been delayed so long. Even now my instructions cannot be passed as the rules have not been complied with. My query on para 66 is not answered.

97) A revised draft in accordance with my instructions may be put up for orders within a week

8/4

8/4.

8/4

8/4

Note—Contn. Sheet

Serial No

78)
Send with a revised draft. As regards query in para 66. It is submitted that the proposed rules only Consolidate the existing rules. Even now the appointments under 25/- and below in Munsiffs Courts and Rs 30/- and below in Subordinate Courts are subject to the confirmation of the Dist Judge.

B/ 21/4/25 Ans 13/4 79) A. Submitted the draft as 19/4

80)
Send with draft

B/ 19/4/26 Ans 19/4 81)
Send with the draft rules typed as ordered

B/ 20/4/26 Ans 20/4 82) The rules have been framed as directed in para 65. W.R. in regard to para 66, the rules in force also contain a similar condition. Information is now forthcoming in the Secrett & has to be obtained from the Chief Court.

83) The draft rules also will be sent to the Ch. Ch for verification & return, if approved.

Ch Secy) 20/4

Serial No.

84 The draft rules may be forwarded to Chief Court for scrutiny

676/23/4 + 23/4 v. 23-4

85) The Asst Secy will please bring this up in person on Monday 24/4 24-4.

~~The draft rule~~

86 The Member has instructed ~~that~~ (1) that the portion relating to the powers of Judicial officers should be separated from the portion relating to the Rules of recruitment

(2) that in the matter of appointment the officers should have absolute powers, upto the limits of pay mentioned in the Rules, in Scheme of the appointments being subject to the approval of the Dt Judge

(3) the officer should also be given powers to fine ~~without the approval of the Dt Judge~~ all the officials under him irrespective of his pay 28/4

87) Submitted with draft - Separate file between Secretary regards the powers of the presiding officers of Local Courts

28/4/24 29/4

NOTE—Contn. Sheet

Serial No.

88) The question has been separated. Board is put up for the rules for the recruitment of ministerial officers of the Judicial and the process staff of Civil courts.

Dept. 1st Nov.

30/4
30/21
30/4

Dept. to appt.

(I presume he will be paid)

5/1.5.26

6 To

The Regr. Chief Court
The Secy. R. Board.

1005666-7 Dt. 5.5.26

Approves of the general rules of recruitment for the ministerial ranks of the Judicial Dept. as modified by the R. Board

Judl. Secy. Dept. to see this

3016

NOTE—Contn. Sheet

8305

92
P

Telegraphic Address. "JUSTICE"

CHIEF COURT OF MYSORE

Bangalore, dated 22nd August 1923.

Rec No. 32

FROM

A. SREENIVASARAGAVACHARI, ESQ., B.,A., B.L.,
Registrar, Chief Court of Mysore.

24 AUG 1923

To

K. V. Anantaraman, Esq., B.A.,
General Secretary to Government, Bangalore.

SIR,

I am directed to state that the existing rules for the recruitment of ministerial officers of subordinate Civil Courts (contained in Government Notification No.J.3588-Legis.23-13-14 dated 4th March 1916 and G. O. No.J.1468-9-Cts.64-15-3 dated 30th October 1916) are found to be defective in several respects. Subsequent amendments (vide G.O.No.J.3110.Cts.175-21-2 dated 9th January 1922) have to be incorporated in them, and ~~xxxxxxxxxx~~ as far as possible, they have also to be revised in the light of the general principles laid down by Government for making appointments to the ministerial ranks of the superior service. (vide G. O. No. E.A.2013-92-E.A.14-21-6 dated 28th November 1921 and G. O. No.E.A. 2093-172/E.A.14-21-7 of the same date). They are not sufficiently comprehensive and do not specifically refer among other things to the powers of presiding officers to fine or reduce officials. Further the special needs of the Judicial Department in regard to the promotion of efficiency have also to be considered.

2. With these considerations in mind, the accompanying draft rules have been prepared; and their salient features are briefly

briefly as follows :-

(a) The substitution of a tabular statement (instead of separate and often over-lapping rules) showing clearly and concisely the powers of presiding officers of the several classes of Courts in regard to appointments, punishment, etc.,

(b) A certain amount of decentralization as regards short leave granted by presiding officers to the members of their ministerial establishments and the power to inflict petty fines without reference to superior authority even in the case of officials whose appointments do not lie within their power.

(c) Specific mention of the powers of general supervision and control existing in the Chief Court.

(d) Treating the appointments of Sheristadars and Head Munshis of District Courts as on a provincial basis liable to transfer from division to division.

(e) It is considered necessary in the interests of efficient work, to exclude the posts of Head Munshis, Process and Court Nazirs and, as far as possible, of Ameens, from direct recruitment and to appoint to these posts only capable and experienced officials from the subordinate ranks. It has been repeatedly urged by District Judges, that the posting of raw and inexperienced men to these responsible posts will result not only in the loss of efficiency but also throw more work on the already heavily worked Munsiffs who are held personally responsible for the cash transactions of the Court.

(f) As regards the filling up of vacancies generally, by direct recruitment, it has already been brought to notice in my letter No.R.O.C.660 of 21-22 dated 11 th March 1922, that the interests of men already in service have not been sufficiently protected with the result that there is a considerable amount of discontent and efficiency has materially suffered. It is therefore proposed that one (instead of two as at present) out of every three vacancies should be filled up by direct recruitment and the other two by promotion.

(g) The

(g) The rules for the recruitment of the Process branch of the Judicial Service ~~has~~ have been embodied in the draft rules now submitted for approval.

3. I am to request that the Government may be pleased to accord their approval to the draft rules, and prescribe them for guidance under Section 21 of the Mysore Civil Courts - - Regulation, 1883.

I have the honour to be,

S i r,

Your most obedient servant,

22/8/45

R E G I S T R A R.

Tkv.

2. Where there is a difference of opinion between the District Judge on the one hand and the Subordinate Judge or Munsiff on the other in respect of an appointment within the powers of the latter and which is subject to the approval of the District Judge, the matter shall be reported for the final orders of the Chief Court.

3. The amount of fine shall ordinarily be recovered from the offender's salary. It shall be proportionate to the gravity of the offence and shall not be excessive.

II. APPEALS:-

Any ministerial officer aggrieved by an order of fine, suspension, dismissal or reduction passed against him by the presiding Officer of a civil Court may appeal to the immediate official superior of that officer. The order of the appellate authority subject to the order of the Chief Court, if any on further appeal shall be final.

2. The petition shall be accompanied by a copy of the order appealed against and shall state concisely the grounds of appeal.

3. Petitions shall be submitted through the presiding officers who shall forward them within a reasonable time, together with such remarks as they may think necessary, to the appellate authority.

III. SPECIAL POWERS OF THE CHIEF COURT:-

1. The Chief Court shall have general power of supervision and control over ministerial officers of the Judicial Department as regards appointments, dismissals, transfers, etc.

2. The Chief Court may transfer any ministerial officer from its own establishment or that of one civil court to --

another

another either of its own motion or on the recommendation of the District Judge.

3. District Judges will submit along with the annual Gradation list a confidential report regarding the character and efficiency of all officials in their Division drawing a salary of Rs.40/- and above.

IV. GENERAL RULES OF RECRUITMENT FOR THE MINISTERIAL RANKS OF THE JUDICIAL DEPARTMENT:-

1. All appointments in the Judicial Department shall be made subject to and in accordance with the general principles contained in the* marginally noted Government Orders with the modifications noted below.

*(1) G.O.No.E.A.2013-92-E.A. 14-21-6 dated 28th November 1921.

(2) G.O.No.E.A.2093-172/E.A.14-21-7 dated 28th November 1921.

2. The Rules regarding direct recruitment referred to in G.O.No.E.A.2093-172/E.A.14-21-7 dated 28th November 1921 shall not apply to the posts of Head Munshis of Munsiffs' Courts, Process and Court Nazirs. Vacancies in these posts shall be filled up by promotion and selection of efficient and experienced men from officials in the subordinate ranks.

3. For the posts of Court Nazirs preference shall be given, other things being equal, to men who have passed the Accounts test (Lower or Higher).

4. For the post of Head Munshis of Munsiffs' Courts preference shall be given to men who have passed Civil Part II and the Registration tests except those exempted under G.O.No.G.1053-112/G.M.11-23-1 dated 12-7-1923.

5. For the posts of Sheristedars of Subordinate and District Judges' Courts and Head Munshis of District Courts preference shall be given, other things being equal, to men who have passed Civil Part II, Registration

Criminal

Criminal (lower or higher) and Accounts (lower or higher) except those exempted under G.O.No.G.1053-112/G.M.11-23-1 dated 12-7-1923.

6. The Chief Court will have the power to fix a period not exceeding three years in the case of officers appointed to the posts of Head Munshis and Sheristedars of Subordinate and District Judges' Courts (Except those exempted under G.O.above referred to) within which to pass the prescribed departmental tests, failing which the incumbents are liable to be reverted.

The appointments of Sheristedars and Head clerks of District Courts will be treated as on a provincial ~~the xinx~~ basis the incumbents being liable to be transferred from one Division to another.

7. Out of every three vacancies occurring in each of the classes referred to in G.O.No.E.A.2093/172/E.A.14-21-7 dated 28th November 1921, the first two shall be filled up by promotion of qualified candidates from the lower ~~gf~~ grades and the third by direct recruitment of a qualified candidate.

V PROCESS ESTABLISHMENT.

Process Servers:-

Appointments of Process servers will be confined to literate persons only, preference being given to those who have passed the Lower Secondary Examination in Kannada. In districts where it is not possible to get literate men as process servers, special exemption in each particular case should be obtained from the District Judge with a full explanation of the circumstances. A quarterly return of such exemptions granted should be furnished by the District Judge to the Chief Court with reasons therefor. The ---

possession

possession of a good physique should be an important consideration in the selection of both Process Servers and Amins.

AMINS:

Appointments of Amins should be made as far as --- possible by promotion of deserving and qualified members of the Servers' grade, and in other cases by the selection of competent persons who have pssed at least the English Lower Secondary Examination.

B. O.

Secretary to Government
General Department

To
The Comptroller Mysore Gazette for publication in the Gazette with a request that 200 spare copies may be kindly sent to this office

Copy to Dy. Chief Court Officer

30/8/[illegible]

Proceedings of the fifteenth ordinary meeting of the Central Recruitment Board held on the 19th November 1923.

.....

Present:--

Mir Humas Hussain Esq., B.A.,B.L., Chairman.

Members.

The Inspector-General of Education

The Chief Secretary to Government.

Mr. Abbas Khan

Mr. Paramasivieh

Secretary.

Mr. S.Narayana Rao

Mr. Appaji Gowda, Assistant Secretary, Education, was also present as he had been asked to attend by the Chairman with the file relating to subject III on the agenda.

The Comptroller to Government and the Registrar, Chief Court were present by invitation.

The Revenue Commissioner and the Inspector-General of Police who are members and the Chief Electrical Engineer who had been invited to be present, intimated their inability to do so.

1. The proceedings of the previous meeting (14th) of the Board were recorded.

2. Supply of information to non-official members.

Mr. Abbas Khan said that he had written five letters disclosing certain irregular appointments in the Districts and seeking information, that he had not been informed of the action taken and that not even an acknowledgment of the receipt of his letters had been sent to him.

The Chairman replied that it was not possible to intimate the action taken before final orders were passed and directed that the receipt of the letters from the members should be promptly acknowled

3. As the Chief Electrical Engineer was absent it was decided that the consideration of the rules of recruitment relating to the

Electrical Department (subject I(a) on the Agenda) should be deferred to the next meeting.

4. Rules of recruitment to the Secretariat Comptroller's office.

The Memo. sent by the Comptroller was gone through. The Comptroller said that the rules of recruitment were not being observed in the case of lumpsum appointments, as these appointments were temporary and as there were practical difficulties, such as paucity of qualified candidates. He said the prevailing practice was to select thrown out men for these lump-sum appointments. The Chairman observed that there were any number of qualified candidates who were ready to work as Volunteers, and that there was no reason why the recruitment rules should not be observed. After some discussion, it was decided that even with regard to lump-sum appointments the prescribed rules of recruitment should be followed by calling for applications maintaining a register and making appointments as per standing orders to which the Comptroller agreed.

5. Rules of recruitment relating to the Treasury.

The Revenue Commissioner's recommendation that the passing of the Accounts Examination be made obligatory only in the case of Head Accountants and the Government order requiring that the Accountants also should pass an examination ordinarily should be considered. The Comptroller was not in favour of this proposal, and said that the Head Accountant of Districts Treasury should be made to pass the Comptroller's Account Examination in the interests of efficiency. The Chairman was not for this, and remarked that it was enough if the passing of the Accounts Higher was insisted on in the case of Head Accountants. Mr. Kittlan was also of the same opinion and remarked that a departmental examination of the kind suggested by the Comptroller would have been all right if the officials formed part of the Comptroller's office. He further said that if they formed part of the Comptroller's office they would lose chances of promotion in the Revenue Department, and that chances of promotion in the Comptroller's office were not many.

Further consideration of the subject was deferred to the next meeting as it was considered that a perusal of the file leading

10

to the Government Order of 1922 which laid down the qualifications of Head Accountants and Accountants was necessary.

6. Rules of recruitment relating to the Judicial Department.

Mr. Abbas Khan said that as copies of the Registrar's proposals were distributed late, the consideration of those proposals might be deferred to the next meeting. The Chairman was pleased to say that they might be discussed and deferred in case any difficulty turned up. He also directed that in future such copies and Government orders relating to recruitment should be promptly sent to the Members.

It was suggested by Mr. Matthan that the wording of para 2 of the draft rules required a change. After discussion it was decided that para 2 should be worded as follows:--

"Vacancies in the posts of Head Munshis of Munsiffs' Courts proceed and Court Masters need not be reported to the Central Recruitment Board but steps should be taken to fill in the next lower appointment in accordance with the Government Order of the 17th May 1923.

As regards para 3 of the proposals the Chairman remarked that the required examination should be prescribed if considered necessary and the language of the para was indefinite. Mr. Matthan was not for prescribing the Accounts Examination for Court Munirs and Mr. Paramasivam said that if an examination was prescribed, there was no reason why direct recruitment should not be resorted to. It was decided after discussion that para 3 may be deleted.

Mr. Matthan said that the language of para 4 was also indefinite and qualifications should be prescribed. The para running as follows:-

For the post of Head Munshi of Munsiff's Courts the prescribed qualification shall be a pass in the Civil Part II and the Registration examinations, (Lyceum Local Service Examinations) exemptions being granted under the rules in force.

As the language of para 5 was also considered indefinite it was decided that it should be changed to

"For the posts of Interpreters of Subordinate and District Judges' Courts and Head Munshis of District Courts the prescribed qualifications shall be the following:--

Mysore Local Service Examination,
Civil Part II
Registration
Criminal Rights and
Accounts (Lower or Higher)

In regard para 6 the Chairman observed that the exemption could be applied if no qualified men are available, and that Government may be moved. It was decided accordingly.

Para. 7 was then put interrogatively read out, the proposal under Rule 7 regarding the change of the rule of reservation and that the present rule of reservation may stand as it is. It was explained that the operation of the present rule had resulted in considerable hardship and discontent, even among the officials of the Backward communities and urged that it may be changed as proposed.

It was decided that this could be taken up as a General question and that the opinions of all the Heads of Departments should be called for.

In regard proviso 2 (vi), the Chairman pointed that no exemption could be prescribed. It was decided that the first sentence of this para may be changed to "appointment of women servants will be applied to persons having low as such and write Rule with the law and that the other proviso be deleted.

In regard the last para, (para 8 (a)), it was decided that 70 per cent of the vacancies should be filled up by promotion and 30 per cent by direct recruitment and the rule modified accordingly. The rules as modified by the Board was approved. (Vide appendix ...

In the course of the above discussion, Mr. Allen drew the attention of the Board to a notification appearing in the Gazette in which a pass in the Criminal Examination had been prescribed as a qualification for candidates seeking appointment as clerks of Magistrates' Courts. The Chairman observed that he had already decided it and other action, that these examinations had been prescribed by the Government order of 1918 relating to the special courts and the question of modifying this Government order might be taken up for consideration when the revision of qualifications for the

Contd

Appendix A

13

I. [illegible] in the judicial departments shall be made only in accordance with the general principles contained in the [illegible] dated October 1st, 1921, and the modifications noted below:

(1) [illegible] dated 20th October 1921.

(2) [illegible] dated 24th November 1921.

B. Vacancies in the posts of Head Munsif/Munsif which occur in the present cadre shall not be reported to the Commission, but shall be dealt with by the Government in accordance with the provisions of the Act by [illegible].

C. For the purpose of calculating periods for the purpose of [illegible] the present modification shall be deemed to have come into force on the 1st [illegible] (i.e., no [illegible] exception being granted in respect of [illegible] prior to that date).

D. [illegible] of appointments of subordinate and Ministerial officers [illegible] shall be made under the prescribed conditions [illegible] the following:-

(a) [illegible]

E. [illegible] of [illegible] shall be confined as far as possible to [illegible] and shall ordinarily not be transferred from one division to another.

II [illegible]

[illegible] of persons who may be employed as [illegible] and shall ordinarily not be transferred from one division to another. In particular cases, however, special [illegible] may be granted by the District Judge with the sanction of the Divisional Judge.

[illegible] of such exemption granted should be [illegible] the [illegible] and the reasons therefor. The [illegible] shall be [illegible]

III. [illegible]

[illegible] cent. of the vacancies in the grade of [illegible] shall be [illegible] up by promotion and [illegible] per cent by direct recruitment.

Sd/- [illegible]

Supdt., [illegible]

For Secretary, Central Recruitment Board.

[illegible]

G. R. S. VI—G/32]

15

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the 191 .

Date of issue 17/3/25

Signed by W. J.S.

Section ~~Bench~~

File No. 73-23

Serial No. 2

No. 5053 one

To

The Registr Chief Court

Sir

With reference to your letter no Roc 32/23-24 of 22/23-8-23 forwarding a set of draft rules for recruitment etc of ministerial Officers of Subordinate Civil Courts I am directed to forward herewith a copy of ~~Rule~~ IV, V & VI of General Rules & recruitment for the Ministerial ranks of the Judicial Department as modified by the

over.

Received on 14/3/25 ~~Draft~~ typed Kindly type in duplicate (C)

14/3/25

Returned in duplicate typed

14/3/25

11

Central Recruitment Board
and to say that the terms they
are suitable and can be
incorporated in the draft
notification sent by you.

Yours etc

26/2

2/3

25/2/45

73-23-2

10

The Registrar Civil Court,
of PS 53 dtd 12-3-25
forwards the draft rule for Recruitment
Ere of Ministerial Staff of the Judicial
department as modified by the Central
Recruitment Board.

List of enclosures.

Copied by

Examined by

17

General Rules of Recruitment for the Ministerial Ranks of the Judicial Department.

---

1. All appointments in the Judicial Department shall be made subject to and in accordance with the general principles contained in the marginally noted Government Orders with the modifications noted below:

1. G.O.No.E.A.2013-92/E.A.14-21-6 dated 28th November 1921.
2. G.O.No.E.A.2093-172/E.A.14-21-7 dated 28th November 1921.

2. Vacancies in the posts of Head Munshis of Munsiffs' Courts, process and court Nazirs need not be reported to the Central Recruitment Board, but steps should be taken to fill in the next lower appointment in accordance with the Government Order of the 17th May 1923.

3. For the post of Head Munshis of Munsiffs Courts the prescribed qualificiation shall be a pass in the Civil Part II and the Registration Examinations (M.L.S.Examinations) exemptions being granted under the rules in force.

4. For the posts of Sheristedars of Subordinate and District Jueges' Courts and Head Munshis of District Courts the prescribed qualifications shall be the following:-

Civil Part II, Registration, Criminal higher and Accounts (Lower or Higher of the Mysore Local Service Examinations).

5. The appointments of Sheristedars and Head Clerks of District Courts will be treated as on a provincial basis, the incumbents being liable to be transferred from one Division to another.

Process Servers.

Appointments of Process Servers will be confined to persons kno ing how to read and write kannada with facility. In districts where it is not possible to get literate men as process servers, special exemption in each particular case should be obtained from the District Judge with a full explanation of the circumstances.

A quarterly return of such exemptions granted should be furnished by the District Judge to the Chief Court with reasons therefor. The possession of a good physique should be an important consideration in the selection of both process servers and Amins.

18

VI. Amins.

75 per cent of the ~~x~~ vacancies in the grade of Amins shall be filled up by promotion and 25 percent by direct recruitment.

- - - - -

By order.

for Secy.

20
Recompiled Express Gazette for publication.
Needed
Copy to Secy Central Recruitment Board for information

B.O.

9/2/26 for Secy

Copy to Regr. Ship Cert under act.

9/2/26

42510

4464

Chs 73—23—3 P

19 M

Telegraphic Address. } "JUSTICE"

CHIEF COURT OF MYSORE

Bangalore, dated 15th April 1925.

Roc No. 32

23—24

A. SREENIVASARAGAVACHARI, ESQ., B.,A., B.L.,
Registrar, Chief Court of Mysore.

B. Nagappa Esq., Bar-at-Law.,

Secretary to Government of H.H. the Maharaja of Mysore,

Local and Legislative Departments, Bangalore.

SIR,

I am directed to acknowledge receipt of your letterNo.P.5050/Cts. dated 17th March 1925 forwarding a copy of rules 4, 5 and 6 General Rules of recruitments for the ministerial ranks of the Judical Department, as modified by the Central Recruitment Board and enquiring whether they are suitable and can be incorporated in the Draft Notification sent by me.

In reply I am to state that the Chief Court has no objection to the modified Draft Rules IV, 1, 2, 3. As regards 4 on the analogy of Draft Rule 3 it is necessary that provisions should be made for exemptions being granted by the Chief Court in the case of officials of proved merit, experience and capacity who have not passed the regular examinations. I am therefore to suggest that the words "except in the case of those specially exempted by the Chief Court" may be inserted in Draft Rule 4.

In this connection I am to invite attention to the fact that Draft Rule 7 as originally forwarded by me has not been incorporated in the modified rules sent by you. Draft rule 7 provided that out of every three vacancies occuring in each of the classes referred to in G.O. No. G.A.2093-172/E.A.14-21-7 dated 28th November 1921 the first 2 will be filled by promotion of qualified candidates from the lower grades and the third by direct recruitment of a

qualified

qualified candidate.

The present rule under which 2 out of every 3 vacancies in the ministerial ranks should be filled up by direct recruitmen appears to be unjust to the claims of men already in service and as a result of this rule there is considerable discontentment and efficiency has sufferred. I am therefore to request that the amendment now proposed namely, the filling up of first 2 vacancies out of every 3 by promotion and 3rd by direct recruitment may be sanctioned.

As regards VI - Amins, the Chief Court has no objection to 75% of the vacancies being filled up by promotion and 25% by direct recruitment. At the same time, I am to observe, that it may become necessary in the future to consider the question whether all the vacancies among Amins should not be filled up by promotion from among Process Servers and whether direct recruitment may not be dispensed with altogether in the case of Amins, so as to promote efficiency and contentment among the members of the process establishment. Further representation will, if considered necessary in the light and experience be made in this matter. For the present the Chief Court has no objection for the proportion allotted to be filled up by promotion and by direct recruitment respectively in the Draft rule.

I am to request the favour of very early sanction and orders in the matter as the question has been pending since a long time.

I have the honor to be,

Sir,

Your most obedient servant,

Registrar. 16/4/28

CENTRAL RECRUITMENT BOARD.

2187
P 25

21677

In reply please quote No.

PUBLIC OFFICES,

Bangalore, Dated 23-11-25

No. 2685 Jens

Cp 73-23-4

GENL. & REV. SECTION
24 NOV. 1925
C. D. SECTION

From

BR. J. APPAJIGOWDA, Esq., B.A., (Hons.)
Secretary, Central Recruitment Board.

To B. Nagappa, Esq., Bar-at-Law,
Secretary to the Government of His Highness
the Maharaja of Mysore, Local & Legislative
Departments, Bangalore.

Sir,

With reference to correspondence ending with your letter No. P 5053/Cts 73-23-2 dated 17th March 1925 to the Registrar, Chief Court, in the matter of General Rules of recruitment for the ministerial ranks of the Judicial Department, I am directed to forward herewith for orders of Government an extract from the Proceedings of the --- Central Recruitment Board on the recommendation of the Chief Court in the matter of promotion to the cadre of Amins being restricted to deserving subordinates of the Department. Copies of letters Nos. C 1041/24-25 and R. C. 163/25-26 dated 27th February and 8th August 1925

from the Registrar, Chief Court, are herewith forwarded for reference.

I have the honor to be,

Sir,

Your most obedient servant,

J. Shaw Garda

Secretary,

Central Recruitment Board.

Letter No. C 1041/24-25 dated 17th February 1925 from the Registrar, Chief Court to the Chief Secretary to Government.

- - - - - - - -

I am directed to invite reference to G.O. No. E.A. 2093-172/ E.A. 14-21-7 dated the 28th November 1921 issuing supplementary instructions for regulating the filling up of vacancies in the ministerial ranks of superior service in the State.

In para 3 B ibid it is stated that out of every three vacancies occurring in each of the classes, the first shall be filled up by direct recruitment and the third by promotion. So far as the appointments of Amins in the Judicial Department are concerned, they belong to the superior service and according to the strict letter of the Government Order, two vacancies out of three have to be filled up by direct recruitment.

I am to observe that Amins' appointments stand on a different footing from that of the clerical establishment requiring good physique and considerable experience. Moreover the only avenue for promotion for the hard worked 1st and 2nd Grade Process Servers is th appointments of Amins, since Process Servers cannot aspire in most cases for preferment in the clerical line. It is submitted that to block their promotion by applying methods of direct recruitment to the posts of Amins in the opinion of the Chief Court will seriously discourage the Process Servers and tend to affect their efficiency. I am to suggest therefore that recruitment to the Amins' cadre should in the best interests of the State work be restricted to promotions from deserving subordinates of the establishment, and that Government may be placed to remove the cadre of Amins from the list of ---- appointments to be filled up by direct recruitment and to permit their being filled by promotion of deserving subordinates.

- - - - - - - - - - - -

Letter No. R.C.C. 163/25-26 dated 8th August 1925 from the Registrar, Chief Court, to the Chief Secretary to Government.

- - - - - -

I am directed to acknowledge the receipt of your letter

No. E 450/CRB dated 31st July 1925, forwarding for information an extract from the Proceedings of the Central Recruitment Board dated 14th July 1925, to the effect that the members of the Board were not in favour of accepting the proposal of the Chief Court to remove the cadre of Amins from the list of appointments to be filled up by -- direct recruitment and suggesting that when vacancies in the grade of Amins occur, the process servers may be allowed to apply and if appointed, such appointments may be considered as direct recruitment till the 50 per cent limit is reached.

In reply I am to state that the Central Recruitment Board has already accepted the suggestion of the Chief Court that 75 per cent of the vacancies in the grade of Amins shall be filled up by promotion and 25 per cent by direct recruitment (vide your letter No. P 5053/Cts dated 17th March 1925).

The Chief Court hopes that this proposition at least may be given effect with a view to prevent discontentment and consequent inefficiency among process servers. I am to add that the ordinary recruitment rules will be followed in the case of the 25 per cent direct recruitment to the Amins cadre.

I am to request the favour of early orders in the matter.

- - - - - - - - - - -

"Copies"

Secretary, Central Recruitment Board

Lej

Extract from the Proceedings of the Central Recruitment Board.

- - - - - - - -

At the request of the Registrar, the recommendation of the Chief Court in the matter of filling up all vacancies in the cadre of Amins by promotion of deserving subordinates of the -- Department was taken up for consideration. The Registrar suggest -ed that the previous resolution of the Board stating that 25 per cent of the vacancies in the grade of Amins be filled up by direct recruitment and 75 per cent by promotion may be accepted, and it was agreed to accept the same as an experimental measure subject to the condition that the representation of the backward communi-ties should be raised to 50 per cent and not allowed to go below that level. It was also resolved that the progress made in in-creasing the representation of the backward communities in the cadre of Amins should be reviewed after some time.

- - - - - - - - - - -

Secretary, Central Recruitment Board

2690
26 P 825

CHIEF COURT
OF MYSORE,
BANGALORE.

IMMEDIATE.

D.O. Roc No 163
N-16

Dated 4th January 1926.

CS73-23-5

Dear Sir,

I am desired to invite reference to the draft recruitment rules for appointments to the ministerial establishments of civil courts, which is pending consideration by Government, and to state that so far as recruitment to the Amin's cadre is concerned, the Central Recruitment Board, it is understood, have no objection to three out of four of such vacancies being filled up by promotion of efficient process servers, the remaining one being filled up by direct recruitment.

In view of the fact that the present rules require that all such recruitments should be made by direct recruitment, as a result of which there is considerable discontent among the Process Servers, and it is difficult to improve efficiency, I am to request that Government may be pleased, pending final orders on the rest of the recruitment rules, to permit Amins' vacancies being filled up, as a tentative measure, by promotion of efficient process servers up to a limit of 75 per cent.

The favour of an early reply is requested.

Yours Sincerely,
Sheenivasaraoh
4/1/26

B. Nagappa, Esq., Bar-at-Law,
Secretary to Government,
Local & Legislative Departments.

G.R..S VI G 34]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

, *the* 192

Date of issue..... 5/5/26

Signed by.....

May this be

i Printed ?

ii treated as a standing order ?

iii published in the Gazette, English Part ?

iv translated ?

v placed at the disposal of the press ?

vi published in the Gazette, Kannada Part ?

Section ep

File No. 73-23

Serial No. 6

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read—

Letter no Nov 32/23-24 § 23 & 23 from the Reg: Hhcp. court, stating that the rules for the recruitment of ministerial officers & the subordinate civil courts contained in fo no j. 3588-Legis 23-13-14 § 4 & 16 and fo no j 1418-9 § CS 64-15-3 § 30-10-1916 and fo no j 3110/CS 175-21-2 § 9-1-1922 are found to be defective and that they Order Thereon No. have to be revised in the light of the general principles laid down by govt for making appointments to the ministerial ranks of the superior service as per fo no EA 2013-92-EA 14-21-6 § 28-11-1921 and fo no EA 2993-172/EA 14-21-7 § 28-11-1921 and

forwarding a set of draft rules embodying all the amendments for the sanction ~~of~~ Govt.

2. Proceedings of the meeting of the Central Recruitment Board held on 19-11-1923 ~~together with the amendments~~ amending the rules relating to recruitment forwarded by the Reg^r Chief Court

3. Correspondence ending with letter no Rec 32 dt 15-4-1925 from the Reg^r Chief Court stating that the Chief Court generally agree with the rules as modified by the central Recruitment Board ~~accepted that~~ and requesting that the words ~~that formula may be added to rule 4~~ "except in the case of those specially exempted by the Chief Court" and that a rule may be added that every 2 out of 3 vacancies may be filled up by promotion and the 3rd by direct recruitment in modification of the no E dt 2093-1924 & dt 14-21-7 dt 28-11-1924.

maybe added to Rule 4. (4)

4. Letter no Rec 32 (23-24) 18-3-26 from the Reg^r Chief Court in the matter.

List of enclosures.

order. 5866-7 (1)

The accompanying general Rules of recruitment for the ministerial ranks of the Judicial Department as modified by the central Recruitment Board are

Copied by

Examined by

WD 1683—GPB—1,000,00—21-12-21

G. R. S. G/33]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

approved 29

2. Govt are of opinion that it is unnecessary to add the words except in the case of those specially exempt Rule 1-4 - as suggested by the Regr Bhiq Court, as fo. no G. 1053-112/ fm. 11-23-1 & 12.7.23 gives the chief court power to recommend for exemption in cases where they consider that such exemption is warranted and justifiable under the terms of that order

3) The proposal to modify para 3(b) of fo. no E & 2093-172/E & 14-21-7) 28-11-19 so as to admit of 2 out of the 3 vacancies being filled up by promotion from the lower ranks and the 3rd by direct recruitment will be taken up and dealt with separately as a general question

(4) Separate and exemption will

WD 2230—GPB—1,00,000—23-7-20

B1.1

S. O. 1.

Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE DEPARTMENTS.

G. O. No. P. 5666-7—Cts. 73-23-6, dated 5th May 1926.

Rules of Recruitment.

Prescribes general —— for the ministerial ranks of the Judicial Department.

READ—

Letter No. R. O. C. 32—23-24, dated 23rd September 1923, from the Registrar, Chief Court, stating that the rules for the recruitment of ministerial officers of the Subordinate Civil Courts contained in Government Orders Nos. J. 3588—Legis. 23-13-14, dated 4th March 1916, No. J. 1468-9—Cts. 64-15-3, dated 30th October 1916, and No. J. 3110—Cts. 175-21-2, dated 9th January 1922, are found to be defective and that they have to be revised in the light of the general principles laid down by Government for making appointments to the ministerial ranks of the superior service as per Government Order No. E. A. 2013-92—E. A. 14-21-6, dated 28th November 1921, and Government Order No. E. A. 2093-172—E. A. 14-21-7, dated 28th November 1921, and forwarding a set of draft rules embodying all the amendments for the sanction of Government.

2. Proceedings of the meeting of the Central Recruitment Board held on 19th November 1923, amending the rules relating to recruitment forwarded by the Registrar, Chief Court.

3. Correspondence ending with letter No. R. O. C. 32, dated 15th April 1925, from the Registrar, Chief Court, stating that the Chief Court generally agree with the rules as modified by the Central Recruitment Board and requesting that the words "except in the case of those specially exempted by the Chief Court" may be added to Rule I (4) and that a rule may be added that every two out of three vacancies may be filled up by promotion and the third by direct recruitment in modification of Government Order No. E. A. 2093-172—E. A. 14-21-7, dated 28th November 1921.

4. Letter No. R. O. C. 32—23-24, dated 18th March 1926, from the Registrar, Chief Court in the matter.

ORDER No. P. 5666-7—CTS. 73-23-6, DATED 5TH MAY 1926.

The acccmpanying general rules of recruitment for the ministerial ranks of the Judicial Department as modified by the Central Recruitment Board are approved.

2. Government are of opinion that it is unnecessary to add the words "except in the case of those specially exempted" in Rule 1—4 as suggested by the Registrar, Chief Court, as Government Order No. G. 1053-112—G. M. 11-23-1, dated 12th July 1923, gives the Chief Court power to recommend for exemption in cases where they consider that such exemption is warranted and justifiable under the terms of that order.

3. The proposal to modify para 3 (6) of Government Order No. E. A. 2093-172—E. A. 14-21-7, dated 28th November 1921, so as to admit of two out of every three vacancies being filled up by promotion from the lower ranks and the third by direct recruitment will be taken up and dealt with separately as a general question.

4. Separate orders will issue in the matter of the powers of the presiding officers of the Civil Courts as regards appointment, punishment and grant of leave.

B. NAGAPPA,
Secretary to Government,
Local and Legislative Departments.

To—The Registrar, Chief Court.
The Secretary, Central Recruitment Board.

Exd.—P. S. R. N.

No. P. 5666-7—Cts. 73-23-6, dated 5th May 1926.

GENERAL RULES OF RECRUITMENT FOR THE MINISTERIAL RANKS OF THE JUDICIAL DEPARTMENT.

1. All appointments in the Judicial Department shall be made subject to and in accordance with the general principles contained in the marginally noted Government Orders with the modifications noted below.

(1) G. O. No. E. A. 2013-92—E. A. 14-21-6, dated 28th November 1921.
(2) G. O. No. E. A. 2093-172—E. A. 14-21-7, dated 28th November 1921.

2. Vacancies in the posts of Head Munshis of Munsiffs' Courts, Process and Court Nazirs need not be reported to the Central Recruitment Board, but steps should be taken to fill in the next lower appointment in accordance with the Government Order of the 17th May 1923.

3. For the post of Head Munshis of Munsiffs' Courts the prescribed qualification shall be a pass in the Civil Part II and the Registration Examinations (M. L. S. Examinations) exemptions being granted under the rules in force.

4. For the posts of Sheristedars of Subordinate and District Judges' Courts and Head Munshis of District Courts, the prescribed qualification shall be the following:—

Civil Part II, Registration, Criminal Higher and Accounts Lower or Higher (of the Mysore Local Service Examinations).

5. The appointments of Sheristedars and Head Clerks of District Courts will be treated as on a provincial basis, the incumbents being liable to be transferred from one Division to another.

II. Process Servers.

Appointments of process servers will be confined to persons knowing how to read and write Kannada with facility. In districts where it is not possible to get literate men as process servers, special exemption in each particular case should be obtained from the District Judge with a full explanation of the circumstances.

A quarterly return of such exemptions granted should be furnished by the District Judge to the Chief Court with reasons therefor. The possession of a good physique should be an important consideration in the selection of both Process Servers and Amins.

III. Amins.

Seventy five per cent of the vacancies in the grade of Amins shall be filled up by promotion and 25 per cent by direct recruitment.

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